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NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

FOR THE NINTH CIRCUIT

JUAN ESTRADA RAMOS,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-76586

Agency No. A95-187-894

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted March 8, 2006^{**}

Before: CANBY, BEEZER, and KOZINSKI, Circuit Judges.

Juan Estrada Ramos, a native and citizen of Guatemala, petitions for review of a final order of the Board of Immigration Appeals summarily affirming an immigration judge's ("IJ") decision denying his application for asylum. We have

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

jurisdiction pursuant to 8 U.S.C. § 1252. We review for substantial evidence, *Ochave v. INS*, 254 F.3d 859, 861-62 (9th Cir. 2001), and we deny the petition for review.

Substantial evidence supports the IJ's determination that Estrada Ramos failed to establish past persecution or a well-founded fear of future persecution in that he failed to show that his experiences in Guatemala constituted persecution "on account of" any political opinion imputed to him by the guerillas. *See Tecun-Florian v. INS*, 207 F.3d 1107, 1109-10 (9th Cir. 2000) (upholding the agency's determination that guerillas kidnaped and abused a petitioner solely in retribution for refusing to join their group, and not on account of a protected ground). Furthermore, Estrada Ramos' fear of future persecution is undermined by the fact that he remained in Guatemala for five years without further incident. *See Hakeem v. INS*, 273 F.3d 812, 816-17 (9th Cir. 2001).

PETITION FOR REVIEW DENIED.